

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL NO. 1:06CR23

UNITED STATES OF AMERICA

vs.

TROY ALAN WITSCHI

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NOTICE

THIS MATTER is before the Court pursuant to the notice provisions of Fed. R. Crim. P. 32(h).

Notification is hereby provided to defense counsel, the Defendant, and the United States Attorney that the Court is considering an upward variance and imposition of a non-Guidelines sentence of 360 months imprisonment in this case based on the unthinkable acts of this Defendant perpetrated on his children as described in detail in the presentence report.

The Defendant, his attorney, and the United States Attorney will be given an opportunity for allocution at the sentencing hearing.

Signed: April 26, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

